

10/518,835  
Response to Office Action of May 17, 2006  
Via facsimile 571-273-8300  
Date of Deposit: August 17, 2006

Attorney Docket Number DE 020160

Remarks

Claims 1, 5 and 7 are herein amended, and claims 3 and 4 are canceled. Support for the amendments to claims 1 and 7 is found in claims 1, 3, 4 and 7 as originally filed. Claim 5 is here amended to depend from a pending claim. Support for this amendment is found in claims 1 and 5 as originally filed.

Claims 1, 2 and 5-7 are pending in the application. No new matter has been added, and no new material presented that would necessitate an additional search on the part of the Examiner.

Prior to analyzing the art cited in the Office Action, Applicants believe that a brief description of the subject matter of independent claims 1 and 7 as here amended would be of use to the Examiner.

Claim 1 as here amended is directed to an electroluminescent device that includes a substrate, a porous layer that borders on the substrate, and a laminated body that borders on the porous layer. The laminated body includes at least a first electrode, an electroluminescent layer and a second electrode. A colored material is at least partially present in the pores of the porous layer. The porous layer is segmented, and the segments of the porous layer have different shapes.

Claim 7 as here amended is directed to a method of manufacturing an electroluminescent device that includes a substrate, a porous layer that borders on the substrate, and a laminated body that borders on the porous layer. The porous layer is segmented, and the segments of the porous layer have different shapes. The laminated body includes at least a first electrode, an electroluminescent layer and a second electrode. A

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colored material is at least partially present in the pores of the porous layer. The colored material is introduced into the porous layer by means of ink jet printing.

Issues under 35 U.S.C. §102(e)

The Office Action on page 2 rejects claims 1-3 and 6-7 as being anticipated by Yamazaki et al. (U.S. patent number 6,641,933, issued November 4, 2003).

The legal standard for rejection of a claim under 35 U.S.C. §102 is identity. Applicants show below that the subject matter in the cited reference is not the same as that of pending claims 1 and 7 as here amended.

Yamazaki et al. shows a light-emitting organic compound that is capable of providing electroluminescence, and an electroluminescent display device utilizing a light-emitting organic compound. See Yamazaki et al., column 1, lines 1-4. Two thin-film transistors (TFT) and a pixel electrode are electrically connected to form pixels on a substrate. Ibid, column 4, line 67; column 5, lines 1-5. An electroluminescent layer is formed over a cathode layer, and a transparent conductive film acting as an anode is formed over the electroluminescent layer. Ibid, column 5, lines 35-37, column 6, lines 61-62 and FIG. 1. An insulating film acting as a passivation film is formed over the anode, forming an active matrix substrate. Ibid, column 6, lines 66-67, column 7, lines 3-9, and FIG. 1. An opposing substrate is attached to the active matrix substrate, so that the electroluminescent devices are located in between the two substrate layers. Ibid, column 7, lines 10-12.

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The invention of the present claims is not the same as the cited art

Yamazaki fails to show an electroluminescent device with a segmented porous layer, such that the segments of the porous layer have different shapes, as is the subject matter of Applicants' claim 1 as here amended.

Further, Yamazaki fails to show a method of manufacturing an electroluminescent device with a segmented porous layer, where the segments of the porous layer have different shapes, as is the subject matter of Applicants' claim 7 as here amended.

Most important, the Office Action on page 4 admits that Yamazaki fails to show that the segments of the porous layer have different shapes. The subject matter of claim 4, not rejected as anticipated by this reference, has been added to claims 1 and 7, therefore for this reason also these claims as here amended are not anticipated.

As the subject matter of claims 1 and 7 as here amended is not the same as Yamazaki et al., therefore these claims are not anticipated by this reference. Claims 2 and 6 depend directly or indirectly from claim 1, therefore these claims also are not anticipated by the cited reference. Claim 3 is herein canceled, therefore rejection of this claim is moot.

For any of these reasons, Applicants assert that the present claims are novel and respectfully request that rejection of claims 1-3 and 6-7 under 35 U.S.C. §102(e) be withdrawn.

Issues under 35 U.S.C. §103(a)

The Office Action on page 4 rejects claims 4 and 5 under 35 U.S.C. §103(a) in view of Yamazaki et al. (U.S. patent number 6,641,933, issued November 4, 2003) and Codama et

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al. (U.S. patent number 6,121,726, issued September 19, 2000). Yamazaki et al. is characterized above.

Claim 4 is herein canceled, therefore rejection of this claim is moot.

Claim 5 as here amended depends from claim 1 and includes all of the subject matter of the electroluminescent device in claim 1 as here amended. Claim 5 is further directed to a device in which the segments of the porous layer take the form of stripes and/or pixels.

The Office Action on page 4 admits that Yamazaki fails to teach or suggest that segments of the porous layer have different shapes, which is the subject matter of claim 1 as here amended. Claim 5 as here amended includes all of the subject matter of claim 1 as here amended, and contains additional subject matter.

Yamazaki alone fails to teach or suggest the device of claim 1 as here amended. As claim 5 as here amended is dependent on claim 1, therefore Yamazaki alone fails to render this claim obvious.

Codama et al. shows a display that comprises an organic electroluminescent (EL) light-emitting device for emitting bluish green light, a blue transmitting layer, a green transmitting layer, a fluorescence converting layer for absorbing bluish green light and emitting orange light, and a red transmitting layer. See Codama et al., column 2, lines 46-50.

Codama et al. fails to teach or suggest any porous layer, let alone a segmented porous layer. Further, Codama et al. fails to teach or suggest colored material present within the pores of a porous layer.

Claim 5 depends directly or indirectly from claim 1 and therefore incorporates all of the subject matter of this claim and contains additional subject matter. The factual analysis

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here shows that claim 1 is not obvious in view of the combination of Yamazaki et al. and Codama et al. As Codama et al. fails to cure the defects of Yamazaki et al. with respect to claim 1, therefore claim 5 is also not obvious in view of the combination of Yamazaki et al. and Codama et al.

For these reasons, Applicants assert that the present claims comply with 35 U.S.C. §103(a), and respectfully request that rejection of claims 4 and 5 under 35 U.S.C. §103(a) be withdrawn.

Summary

On the basis of the foregoing reasons, Applicants respectfully submit that the pending claims are in condition for allowance, which is respectfully requested.

If there are any questions regarding these remarks, the Examiners are invited and encouraged to contact Applicants' representative at the telephone number provided.

Respectfully submitted,

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